

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Lars Hellman  
Serial No. : 09/401,636  
Filed : September 22, 1999  
Title : IMMUNOGENIC POLYPEPTIDES FOR INDUCING ANTI-SELF IGE RESPONSES

Art Unit : 1644  
Examiner : Phuong N. Huynh

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

DECLARATION UNDER 37 C.F.R. § 1.132

I, Lars T. Hellman, declare as follows:

1. I am employed at Resistentia Pharmaceuticals AB, Box 853, SE-751 08, Uppsala, SWEDEN.
2. I am listed as the sole inventor of the above-referenced patent application.
3. I have read the Office Action mailed July 14, 2003 for the above-referenced patent application, including the section where the Examiner questions the ability of a skilled artisan to obtain IgE sequences other than those provided in the Figures of the above-referenced patent application.
4. Given the sequence information provided in the above-referenced patent application, including the platypus, opossum, human, pig, mouse, rat, and dog IgE sequences, a skilled artisan would have been able to use common molecular biology techniques to obtain IgE sequences from non-placental mammals. For example, a graduate student and technician in my

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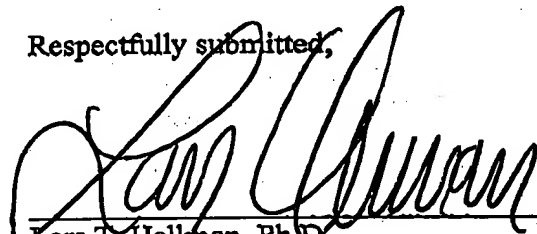
Attorney's Docket No.: 10223-006001

laboratory used a platypus IgE nucleic acid fragment to obtain via standard library screening techniques an IgE sequence from echidna, a non-placental mammal. The obtained echidna IgE sequence is similar to the platypus and opossum IgE sequences provided in the above-referenced patent application. For example, a Blast search conducted on the National Center for Biotechnology Information (NCBI) web site using the platypus IgE sequence of Figure 2 returned many IgE sequences including (1) the echidna IgE sequence, (2) a silver-gray brushtail possum IgE sequence, and (3) a gray short-tailed opossum IgE sequence.

5. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: November 10 - 2003

Respectfully submitted,

  
Lars T. Hellman, Ph.D.